SEP 11 2006 BUT FOR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Terry et al.

Application No.: 10/768,312

Confirmation No.: 6325

Filed:

January 30, 2004

For: DYNAMIC

CHANNEL QUALITY

MEASUREMENT

PROCEDURE

IMPLEMENTED IN A WIRELESS DIGITAL

COMMUNICATION PRIORITIZE THE

SYSTEM TO

THE FORWARDING OF

DOWNLINK DATA

Group:

2618

Examiner:

Marceau Milord

Our File: I-2-0192.4US

Date: September 5, 2006

REPLY PURSUANT TO 37 C.F.R. §1.111

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This Reply and Terminal Disclaimer are being timely filed in response to the Office Action dated June 23, 2006.

Please amend the application without prejudice or disclaimer as follows: